

PATENT APPLICATION

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Challenger et al.

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**For: A METHOD FOR GENERATION AND ASSMEBLY OF WEB PAGE CONTENT**

**Mail Stop Appeal Brief-Patents**

Commissioner for Patents

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**REPLY BRIEF**

This Reply Brief is submitted in response to the Examiner's Answer dated September 17, 2010; the Reply Brief reiterates the earlier arguments made in the Appeal Brief and supplements the earlier arguments as indicated below.

## TABLE OF CONTENTS

	<u>Page</u>
1. REAL PARTY IN INTEREST	1
2. RELATED APPEALS AND INTERFERENCES	1
3. STATUS OF CLAIMS	1
4. STATUS OF AMENDMENTS	1
5. SUMMARY OF CLAIMED SUBJECT MATTER	2
6. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL	4
7. ARGUMENT	5
A.    The Claim Rejections Under 35 U.S.C. §103	5
i.    Claims 16, 17, 19-21, 32-36 and 38	5
a.    Reply to Examiner's Answer	9
ii.    Claims 24 and 37	11
B.    Conclusion	12
8. CLAIMS APPENDIX	13
9. EVIDENCE APPENDIX	17
10. RELATED PROCEEDINGS APPENDIX	18

**1. Real Party in Interest**

The real party in interest is International Business Machines Corporation, the assignee of the entire right, title, and interest in and to the subject application by virtue of an assignment of record.

**2. Related Appeals and Interferences**

(None)

**3. Status of Claims**

Claims 16, 17, 19-21, 24, and 32-38 are pending, stand rejected and are under appeal. The claims are set forth in the attached Appendix. Claims 16 and 35 are the independent claims. Claims 1-15, 18, 22, 23 and 25-31 have been canceled.

**4. Status of Amendments**

No After Final Amendments have been filed since the Final Rejection of January 7, 2010.

## **5. Summary of Claimed Subject Matter**

In general, the claimed inventions are directed to converting electronically encoded HTML textual content from a text format to an image format. Referring more particularly to Claims 16 and 35:

### **Claim 16 recites:**

A computer-implemented method for dynamically converting electronically encoded HTML textual content from a text format to an image format, comprising the steps of:  
receiving a request for the textual content from a client; obtaining, at a server, the textual content in text format; determining a content creation preference stored on the server (**see for example, page 10, lines 11-12 and FIG. 2, block 202**);  
converting, automatically by the server, the textual content in text format to the textual content in the image format according to the content creation preference (**see for example, page 10, lines 13-18, page 13, lines 8-17 and FIG. 2, block 206**);  
storing the textual content in the image format (**see for example, page 7, lines 4-5, page 11, lines 1-2**);  
generating an HTML document containing an inline reference to the stored textual content in the image format for retrieval and dynamic assembly by the client (**see for example, page 8, lines 10-15, page 11, line lines 5-12 and FIG. 2, block 212**); and  
replying to the request by serving the HTML document containing the inline reference to the stored textual content in the image format, wherein the reply does not include the textual content in the image format (**see for example, page 7, lines 2-4, page 11, lines 3-7 page 12, lines 10-11, page 14, lines 19-23, and FIG. 2, block 220**).

**Claim 35 recites:**

A computer-implemented method for dynamically converting electronically encoded HTML textual content from a text format to an image format, comprising the steps of:

receiving a request for the textual content from a client; obtaining, at a server, the textual content in text format (**see for example, page 10, lines 11-12 and FIG. 2, block 202**);

determining a content creation preference stored on the server (**see for example, page 10, lines 14-16 and FIG. 1, block 118**);

converting, automatically by the server, the textual content in text format to the textual content in the image format according to the content creation preference (**see for example, page 10, lines 13-18, page 13, lines 8-17 and FIG. 2, block 206**);

storing the textual content in the image format as a uniquely addressable element identified by a Uniform Resource Locator (URL) (**see for example, page 7, lines 4-5, page 11, lines 1-2**);

generating an HTML document containing an inline reference comprising the URL to the stored textual content in the image format for retrieval and dynamic assembly by the client (**see for example, page 8, lines 10-15, page 11, line lines 5-12 and FIG. 2, block 212**); and

replying to the request by serving the HTML document containing the inline reference to the stored textual content in the image format, wherein the reply does not include the textual content in the image format (**see for example, page 7, lines 2-4, page 11, lines 3-7 page 12, lines 10-11, page 14, lines 19-23, and FIG. 2, block 220**).

**6. Grounds of Rejection to be Reviewed on Appeal**

**A.** Claims 16, 17, 19-21, 32-36 and 38 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Troyansky et al. (US Application No. 2003/0190054) in view of Lewis (Lewis, R., “Adobe Pagemill 2.0 Handbook,”) and further in view of Levy et al. (US Application No. 2003/0012548).

**B.** Claims 24 and 37 have been rejected under 35 USC 103(a) as being unpatentable over Troyansky, Lewis, Levy and further in view of Minematsu (US 6,700,993).

## 7. Argument

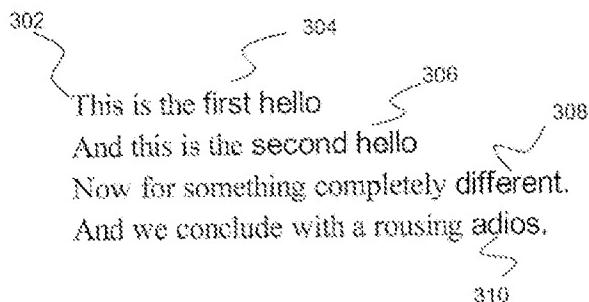
### A. The Claim Rejections Under 35 U.S.C. §103

#### i. Claims 16, 17, 19-21, 32-36 and 38

Claims 16, 17, 19-21, 32-36 and 38 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Troyansky et al. (US Application No. 2003/0190054) in view of Lewis (Lewis, R., “Adobe Pagemill 2.0 Handbook,”) and further in view of Levy et al. (US Application No. 2003/0012548).

Claims 16 and 35 are the independent claims.

According to an embodiment of the present application, textual content is converted from a text format to an image format, wherein an HTML document is generated containing an inline reference to the textual content in the image format for retrieval and dynamic assembly by a client, that is, a server’s reply is an HTML document containing inline references to the images such that the actual images are not part of the reply. For example, FIG. 3 of the application is an exemplary client rendering in which the word “first” (label 304) has been converted from textual format to image format by a server and retrieved by the client for display on the basis of an inline reference to the textual content in the image format. Note that the content, the usage of the word “first”, is conserved.



Referring to Claim 16; Troyansky teaches a system and method for providing uniquely marked copies of data content via digital watermarks (see Abstract and paragraph [0124]).

Troyansky's watermark replaces first content with second different content such as a personalized message (see paragraph [0109]). The watermark does not include the conversation of particular content from textual format to image format; note that the claims are specific that the content does not change with the conversation from a textual format to an image format.

In addition, Troyansky teaches a content processor that forms the sets of marked segments prior to distribution of the data content (see paragraph [0114]). The assembly of Troyansky is performed by a server. Troyansky specifically teaches that the data stream includes the embedded message (see for example, block 73 of FIG 3). In Claim 16, assembly is performed by the client based on inline references to textual content in an image format, the claimed reply does not include the textual content in the image format.

In view of the foregoing, Troyansky does not teach or suggest the claimed conversion of format, “generating an HTML document containing an inline reference to the stored textual content in the image format” or that “the reply does not include the textual content in the image format”, essentially as claimed in Claim 16.

Thus, Troyansky fails to teach or suggest all the limitations of Claim 16.

Lewis teaches that HTML tells a computer how to interpret hypertext documents (see page 13, second paragraph). The Examiner suggests at page 8 of the Final Action (see Response to Arguments), that “Pagemill [Lewis] teaches an Internet server receiving a request for a tagged HTML file. In response, the Internet server communicates the HTML file in textual format to a requesting client computer. The images are treated as text by the HTML format (page 12, parag.3-page 13, page 18-20). In other words the reply, which the server sends to the browser,

only includes the html textual code, and not the watermarked image as recited in the independent claims 16, and 35.”

Respectfully, even assuming the Examiner’s suggestion is correct, the watermarked images of Lewis are not the textual content in image format. That is, the combination of references fails to teach a replacement of format that preserves the content. Pointing again to FIG. 3 of the application, the word “first” (label 304) is converted from textual format to image format while the content, the usage of the word “first”, is conserved.

Further, Lewis does not teach or suggest, “generating an HTML document containing an inline reference to the stored textual content in the image format” as claimed in Claim 16. Lewis’ PageMill teaches how one may generate HTML code, which may include <IMG> tags (see page 139, line 3). However, Lewis fails to teach or suggest how <IMG> tags are handled, e.g., whether images are embedded into an image as taught by Troyansky. Thus, Lewis fails to teach or suggest “an inline reference to the stored textual content in the image format” essentially as claimed.

Therefore, Lewis fails to cure the deficiencies of Troyansky.

Levy teaches a method by which a server performs integration of a watermark in content (see paragraph [0093]). Levy does not teach or suggest, “generating an HTML document containing an inline reference to the stored textual content in the image format” as claimed in Claim 16. In Levy’s method a client is a creator of content and watermarked content desiring to tailor audio or video content presented to consumers (see paragraphs [0078] and [0033]). This type of client is very different from the client of Claim 16 - the client of Claim 16 is a requestor of content from the server. Levy’s client is a provider of content to the server. More particularly, Levy teaches that content, a watermark and watermark parameters are sent to a server for

integration and returned as a complete document for later broadcast to consumers. Clearly then, this is not analogous to retrieval and inline dynamic assembly by the client, essentially as claimed in Claim 16 – Levy does not teach an inline reference. Moreover, the server of Levy returns content as a complete document for later broadcast to consumers - such a reply is clearly distinguishable from a “reply [that] does not include the textual content in the image format”, essentially as claimed in Claim 16. Therefore, Levy fails to cure the deficiencies of Troyansky and Lewis.

The combined teachings of Troyansky, Lewis and Levy teach a server embedding new replacement content into a data stream. Therefore, the combined teachings of Troyansky, Lewis and Levy fail to teach or suggest, “generating an HTML document containing an inline reference to the stored textual content in the image format”, nor a “reply [that] does not include the textual content in the image format” as claimed in Claim 16.

Referring to Claim 35; Claim 35 is believed to be allowable for at least the reasons given for Claim 16.

The combined teachings of Troyansky, Lewis and Levy teach <IMG> tags referring to images in a file together with HTML code - such a tag is not a uniquely addressable element as claimed. The combined teachings of Troyansky, Lewis and Levy fail to teach or suggest, “storing the textual content in the image format as a uniquely addressable element identified by a Uniform Resource Locator (URL)” as claimed in Claim 35. Consider that the <IMG> tags of Troyansky, Lewis and Levy merely have directory addresses associated with the file. A file directory address is not analogous to the claimed URL, much less a URL created dynamically in response to a request, essentially as claimed.

a. Reply to Examiner's Answer

The Examiner reiterates that “Troyansky teaches the conversion of text content in an html file into an image, citing paragraphs 3-4. Applicant’s have previously argued that Troyansky’s watermark replaces first content with second different content such as a personalized message (see paragraph [0109]), and thus there is no conversion. Thus, while the Examiner has never expressly suggested as much, apparently, the rejection is relying on a purported format conversion of Troyansky’s message during the embedding process and not the replaced content. Applicants respectfully disagree with any interpretation of Troyansky requiring a conversion of message format.

Consider that Troyansky clearly points out that the embedded messages are not necessarily the same format as the digital content (see paragraph [0003]); Troyansky specifically teaches that:

Digital steganography generally works by replacing parts of the information in digital files (such as image, video, sound, text, HTML, and executable files) with different information, in a substantially imperceptible manner. The hidden information can be plain text, cipher text, or even images.

In view of the foregoing, the format of the messages or hidden information (plain text, cipher text, or even images) does not match that of the digital content (image, video, sound, text, HTML, and executable files). Thus, there is no conversion of the embedded messages. Messages are simply inserted into the digital content, replacing portions of the digital content, without conversion of format.

The rejection of Claims 16 and 35 relies on Troyansky for the teaching of a

format conversion. Applicants have shown above that there is no format conversion taught or suggested by Troyansky. Therefore, the rejection should be withdrawn.

Referring specifically to Claim 35, the Examiner suggests that Pagemill [Lewis] teaches “images retrieved over the Web are treated as text by the HTML format, and are referred to be Internet addresses to locations where the images are individually found,” citing page 12, para. 3 to page 13 and pages 18-20.

Respectfully, Lewis simply teaches that “HTML became the standard way to tag pages of information traveling over the Internet” (see page 13, para. 2) and that “images are treated as text by HTML” (page 20, first full para.). That is to suggest only that a browser can read HTML, including image tags (<IMG>), and assemble a Webpage based on the HTML. Nothing in Lewis can be interpreted as teaching “storing the textual content in the image format as a uniquely addressable element identified by a Uniform Resource Locator (URL)” as claimed in Claim 35.

According to Lewis, only pages of HTML content are addressable on the Web, and that image tags in the HTML content may be used to display image content (see page 140, first full para.). Lewis is limited to HTML pages including all of the attendant content needed to display a Web page (see page 19, para. 1). Nothing in Lewis teaches or suggests how content of an HTML page may be stored as uniquely addressable element identified by a Uniform Resource Locator (URL).

Finally, Lewis provides that “a user can set his browser’s preferences to determine what fonts are used, the size of text, and the colors used for fonts, hypertext links, and backgrounds. You cannot override these controls...” (emphasis added) (see page 21, last paragraph). The claimed invention overrides these preferences or controls by converting textual content into

image content. Thus, the claimed invention accomplishes what Lewis admits cannot be done. At the very least, one of ordinary skill in the art would not look to the teachings of Lewis for the teachings of overriding a user's control over textual preferences. Therefore, Lewis, as applied in the rejection, is not believed to be combinable with the remaining references.

Claims 17, 19-21 and 32-34 depend from Claim 16. Claims 36 and 38 depend from Claim 35. The dependent claims are believed to be allowable for at least the reasons given for Claims 16 and 35, respectively. Withdrawal of the rejection is respectfully requested.

ii.       Claims 24 and 37

Claims 24 and 37 have been rejected under 35 USC 103(a) as being unpatentable over Troyansky, Lewis, Levy and further in view of Minematsu (US 6,700,993). The Examiner stated essentially that the combined teachings of Troyansky, Lewis, Levy and Minematsu teach all the limitations of Claims 24 and 37.

Claim 24 depends from Claim 16. The dependent claims are believed to be allowable for at least the reasons given for Claim 16. Withdrawal of the rejection is respectfully requested.

**B. Conclusion**

In view of the foregoing, it is respectfully requested that the Board overrule the rejections of Claims 16, 17, 19-21, 24, and 32-38.

Respectfully Submitted,

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## **8. CLAIMS APPENDIX**

1-15. (Cancelled)

16. A computer-implemented method for dynamically converting electronically encoded HTML textual content from a text format to an image format, comprising the steps of:

- receiving a request for the textual content from a client;
- obtaining, at a server, the textual content in text format;
- determining a content creation preference stored on the server;
- converting, automatically by the server, the textual content in text format to the textual content in the image format according to the content creation preference;
- storing the textual content in the image format;
- generating an HTML document containing an inline reference to the stored textual content in the image format for retrieval and dynamic assembly by the client; and
- replying to the request by serving the HTML document containing the inline reference to the stored textual content in the image format, wherein the reply does not include the textual content in the image format.

17. The method of claim 16, further comprising the step of extracting the content in text format from the obtained content in the text format.

18. (Cancelled)

19. The method of claim 16, further comprising the step of applying a watermark to the content in the image format according to a watermarking preference.
  20. The method of claim 19, further comprising the step of compressing the watermarked image according to a compression preference stored on the server.
  21. The method of claim 16, further comprising the step of generating an image map according to a mapping preference, wherein the image map relates selectable spatial display coordinates to external document identifiers.
- 22-23. (Cancelled)
24. The method of claim 19, further comprising the steps of:
    - receiving a client system request for verification of the watermarked content;
    - verifying the watermarked content; and
    - replying to the client system request for verification.
- 25-31. (Cancelled)
32. The method of claim 16, wherein the content creation preference specifies attributes of the textual content in image format.

33. The method of claim 32, wherein the attributes of the textual content in image format include at least one of font, font size, color, and margins.

34. The method of claim 16, further comprising:

receiving a request from the client for the textual content in the image format according to the inline reference, wherein the inline reference is a Uniform Resource Locator (URL); and

replying to the request from the client for the textual content in the image format.

35. A computer-implemented method for dynamically converting electronically encoded HTML textual content from a text format to an image format, comprising the steps of:

receiving a request for the textual content from a client;

obtaining, at a server, the textual content in text format;

determining a content creation preference stored on the server;

converting, automatically by the server, the textual content in text format to the textual content in the image format according to the content creation preference;

storing the textual content in the image format as a uniquely addressable element identified by a Uniform Resource Locator (URL);

generating an HTML document containing an inline reference comprising the URL to the stored textual content in the image format for retrieval and dynamic assembly by the client; and

replying to the request by serving the HTML document containing the inline reference to the stored textual content in the image format, wherein the reply does not include the textual content in the image format.

36. The method of claim 35, further comprising applying a watermark to the content in the image format.

37. The method of claim 36, further comprising:

- receiving a client system request for verification of the watermarked content;
- verifying the watermarked content; and
- replying to the client system request for verification.

38. The method of claim 35, further comprising compressing the textual content in the image format.

**9. EVIDENCE APPENDIX**

(None)

**10. RELATED PROCEEDINGS APPENDIX**

(None)